



#16
1646 DT
01-18-01
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98,736)

In re Application of:

Roderick L. Hall, et al.

Serial No. 09/218,913

Filed: December 22, 1998

For: A METHOD FOR ACCELERATING
THE RATE OF MUCOCILLIARY
CLEARANCE

Examiner: To be assigned

Art Unit: 1646

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:

- a) Second Supplemental Information Disclosure Statement
- b) U.S. PTO 1449 Form with copies of 8 references
- c) Postcard.

2. With respect to additional fees:

_____ A. No additional fee is required.

3. General Authorization: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Asst. Commissioner for Patents, Washington, D.C. 20231 on this 28 day of December, 2000.

Dated: 12/28/00

By : 

Emily Miao
Reg. No. 35,285

McDONNELL BOEHNEN
HULBERT & BERGHOFF
300 South Wacker Drive
Chicago, Illinois 60606
Telephone (312) 913-0001; Fax (312) 913-0002

RECEIVED
JAN 10 2001
TECH CENTER 1600/2900



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Our Case No. 98,736)

In re Application of:)

Roderick L. Hall, et al.)

Serial No.: 09/218,913)

Filed: December 22, 1998)

For: A METHOD FOR ACCELERATING)
THE RATE OF MUCOCILIARY)
CLEARANCE)

Examiner: To be assigned

Group Art Unit: 1646

RECEIVED

JAN 10 2001

TECH CENTER 1600/2900

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In order to comply with discretionary regulations 37 CFR 1.97 and 1.98, attached hereto is Form PTO-1449, and copies¹ of the documents listed thereon. These documents contain information which the Examiner may consider to be important in deciding whether to allow the present application to issue as a patent.

1. Shimomura, et al., U.S. Patent No. 5,854,396, issued December 29, 1998
2. PCT Patent Application No. WO 92/15605, published September 17, 1992

¹To the extent that a document is listed and no copy of same is attached, then such document is not at the present time available to the undersigned or is available in the file of a parent application. If a listed document is not in the English language and an English translation is readily available, such translation is also attached; if translation is not attached it is not readily available to the undersigned. If a foreign language patent document is cited, and an English language equivalent is known to the undersigned, then such equivalent patent is also cited on the attached form along with the corresponding foreign language patent and a connecting arrow indicated therebetween; if no such English language equivalent is cited, then none is known to the undersigned.

RECEIVED

JAN 10 2001

TECH CENTER 1600/2900

3. PCT Patent Application No. WO 97/33996, published September 18, 1997
4. European Patent Application No. 0 563 389, published October 6, 1993
5. Lindberg, S., et al. (1991) "Tissue kallikrein stimulates mucociliary activity in the rabbit maxillary sinus." *Acta Oto-Laryngologica* 111 (6) 1126-32.
6. Newton, et al., "Mucociliary Clearance in the Guinea Pig is Increased by Ouabain (i.v.) and by Hypertonic Saline (14.4%) Aerosol," *Cilia, Mucus, and Mucociliary Interactions*, United Kingdom.
7. Rasche B., et al. (1975) "Über die Wirkung des Proteaseinhibitors Aprotinin auf die Lungenfunktion sowie die inhibitorische Aktivität des Sputums bei Patienten mit chronisch-obstruktiver Bronchitis" *Arzneimittel-Forschung* 25 (1) 110-116, Germany.
8. Schmidt, O. P. (1977) "Drug therapy in cases of bronchosecretory disorders", "MEDIKAMENTÖSE THERAPIE BRONCHOSEKRETORISCHER STÖRUNGEN." *Medizinische Klinik* 72 (5) 145-160, Germany.

In accordance with MPEP Sections 609 and 707.05(b), it is requested that each document cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

The present Supplemental Information Disclosure Statement is being submitted in compliance with 37 CFR 1.56 insofar as an Examiner might consider any of the cited documents important in deciding whether to allow the application to issue as a patent, but the citation of each document is not to be construed as an admission that such document is necessarily relevant

or prior art. No representation is intended that the cited documents represent the results of a complete search, and it is anticipated that the Examiner, in the normal course of examination, will make an independent search and will determine the best prior art consistent with 37 CFR 1.104(a) and 1.106(b) and, in the course of each search, will review for relevance every document cited on the attached form even if not initialed.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,



Emily Miao
Reg. No. 35,285

Date: 12/28/00

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, Suite 3200
Chicago, Illinois 60606
Telephone No. 312/913-0001
Facsimile No. 312/913-0002

RECEIVED
JAN 10 2001
TECH CENTER 1000/2300